

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of T.A.N., Minor.

FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

SHIRLEY CAMPER,

Respondent-Appellant,

and

WILLI NOLES and ANDRE BATTON,

Respondents-Not Participating.

UNPUBLISHED

April 29, 2004

No. 249435

Wayne Circuit Court

Family Division

LC No. 01-395330

Before: Cavanagh, P.J., and Murphy and Smolenski, JJ.

MEMORANDUM.

Respondent-appellant appeals as of right from the order of the trial court terminating her parental rights to her minor child pursuant to MCL 712A.19b(3)(c)(i), (g), (j), (k)(i). We affirm. This case is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

Respondent-appellant contends that the trial court erred in finding that clear and convincing evidence supported termination of her parental rights. We disagree. Contrary to respondent-appellant's contentions, ample evidence existed on the record to support the trial court's decision. At the time of adjudication, respondent-appellant was using marijuana and her drug use was affecting her ability to properly care for the child. The family home had no heat and, in the winter of 2000, the water pipes froze and burst, flooding the basement. Respondent-appellant was unemployed and had been so for years. These conditions continued to exist while respondent-appellant made no effort to locate better housing or to secure employment. At one point, respondent-appellant abandoned her children in the unfit home while she stayed with relatives, leaving the children without money or a way to contact her. Respondent-appellant also resisted the assistance of petitioner that may have helped her to locate employment and housing. Respondent-appellant took no steps to address her substance abuse or her emerging mental

health issues, or to otherwise comply with the directives of the trial court. The trial court, therefore, did not err in finding that the statutory grounds for termination were established by clear and convincing evidence. See MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989).

Respondent-appellant also contends that the trial court erred in determining that termination was not contrary to the best interests of the child. We disagree. While in respondent-appellant's care, the child lived in deplorable conditions and did not regularly attend school. The child was subjected to the unsound decisions of respondent-appellant as she engaged in substance abuse and experienced mental illness. Termination of respondent-appellant's parental rights was not contrary to the best interests of the child. See MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000).

Affirmed.

/s/ Mark J. Cavanagh
/s/ William B. Murphy
/s/ Michael R. Smolenski